



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

THE ENGLISH PRISON SYSTEM.

BY MAJOR ARTHUR GRIFFITHS, HER MAJESTY'S INSPECTOR
OF PRISONS.

“To give a dog a bad name and hang him,” is the short shrift which some critics and malcontents would apply to the English prison system. Fault-finding has gone great lengths; the language used has not been quite parliamentary. Our prisons have been called “living hells,” our system the “most brutal in Europe.” Such exaggerated invective confutes itself, and carries no weight with educated and impartial public opinion. Much of it proceeds from sources that may be fairly stigmatized as tainted; a few, no doubt, speaking out of their own experience, are honest enough; but their sense of proportion must have been distorted, their temper soured, their judgment deranged by a detention in duration vile which they believed to be unjustifiable. One of the fiercest complainants has been a notorious felon whose very name is unsavory and unmentionable, but who has repaid extreme consideration by libelling the treatment that gave him a new lease of life and strength. Of course, the well-meaning philanthropist and humanitarian who has raised his protests with no uncertain sound is not to be classed with these; even if he has proceeded on imperfect information, his motives are generally excellent and he is entitled to every respect. He is entitled, too, to an answer to some rebutting statements, to a candid exposure of facts as they appear to the other side, supported by such evidence as is forthcoming. *Qui s'excuse s'accuse*; yet silence might be interpreted as assent, and when no appearance is put in, judgment might go by default.

It may be premised that the system now in force is no new thing; it is no recent invention, but the growth of years, of generations, the outcome of slow, cautious experiment. One of

the features now most strenuously denounced, separate confinement, is older than the century. John Howard found cellular accommodation in the *Maison de Force* of Ghent in 1775, and he hailed it with enthusiasm as an ideal prison. In 1786 the Quakers of Pennsylvania had established the same system in the Walnut Street Prison in Philadelphia. It was copied at Sing Sing when old Elam Lynds made his prisoners build their own lodgings, cell by cell. It was the main idea of the Great Millbank Penitentiary constructed on the banks of the Thames in 1816, at the cost of half a million sterling, to carry out the views of John Howard and Jeremy Bentham, and in which "separation," "solitude," were carried to their furthest limits. The Eastern Penitentiary of Philadelphia pursued the same course to receive the same strictures, for the excessive application of the system found many opponents. Yet the Millbank Committee, when compelled in 1840 to relax it in the face of distressing consequences, did so reluctantly, believing that "no scheme of discipline in which intercourse between prisoners, however modified, is permitted, is likely to be made instrumental either in the prevention of crime or to the personal reformation of convicts, to the same degree as a system of separation." They could not decide whether such a system could be made "compatible with the maintenance of mental sanity," and they advocated its trial under proper safeguards in some model prison. This was the origin of Pentonville, truly the "model," for it has been accepted as the true type and imitated all the world over. Here the experiment is not deemed satisfactory, and the period of separation was successively reduced, from two years to eighteen months, then to twelve months, and finally to nine months, the present maximum for penal servitude, although in ordinary imprisonment it may be imposed for two years.

The plan of separation thus limited has been in force with us for upward of fifty years. It has not perhaps effected what was hoped from it, but certainly it has not produced the mischievous results now laid at its door. As regards mental deterioration, the figures are convincing and will be given later in connection with insanity in the whole of the prisons. Separation may not have acted as a powerful deterrent, yet experience shows that it is most obnoxious to the habitual criminal, while the neophytes and first offenders distinctly prefer it to association with others.

That reformation is much aided by this period of penitential isolation may be doubted; it is an artificial state of existence, and the good intentions it may develop may not be very deep and abiding, but it has the prescription of long usage and, till lately, was very generally approved by public opinion. The trend of public sentiment is of late against it. The Home Secretary has now consented to reduce the nine months to six, and it may yet be surrendered altogether, except at night and during idle hours. To give up separation at such times would be retrograde and disastrous. It is hardly necessary to point out that the free intercourse of persons would promptly produce fatal results, mutual contamination and the rapid propagation of vice and crime. It is fitting to add here that other civilized nations adopt solitary confinement in its strictest sense and for very long terms. In Belgium separation, absolute and complete, is enforced for five, seven, and even ten years. France, although still wanting a sufficient number of cells, is prepared to do the same; so is Holland.

The guiding principle of all penal treatment was well defined by the Millbank Committee as quoted above. It was reiterated and amplified later by Lord Chief Justice Cockburn. He said:

“The purposes of punishment are twofold. The first is that of delivering others from crime; the second, the reformation of the criminal himself. The first is the primary and more important object; for, though society has, of course, a strong interest in the reformation of the criminal and his consequent indisposition to crime, yet the result is here confined to the individual offender, while the effect of punishment as deterring from crime extends not only to the party suffering the punishment, but to all who may be in the habit of committing crime or who may be tempted to fall into it; moreover, the reformation of the offender is in the highest degree speculative and uncertain, and its permanency, in the face of renewed temptation, exceedingly precarious. On the other hand, the impression produced by suffering indicted as the punishment of crime, and the fear of its repetition, are far more likely to be lasting and much more likely to counteract the tendency to the renewal of criminal habits. It is on the assumption that punishment will have the effect of deterring from crime that its infliction can alone be justified; its proper and legitimate purposes being not to avenge crime, but to prevent it.”

Lord Cockburn wrote thus in 1863, soon after the terrible outbreak of garrote robberies in London, which were largely attributed to the weakening of the reins of penal discipline, and the premature release of many criminals on too easily earned tickets of leave. General alarm prevailed; life and property were more seriously threatened than at any previous period, and Lord Cockburn fully indorsed the general opinion as to the causes that pro-

duced this effect. "It may well be doubted," he goes on to say, "whether in recent times the humane and praiseworthy desire to restore and reform the fallen criminal may not have produced too great a tendency to forget that the protection of society should be the first consideration of the law-giver." We may see clearly enough that now the swing of the pendulum is once again towards sacrificing the interest of society to a misplaced tenderness for those who offend against its laws. How far are we nowadays disposed to observe the axiom enunciated by Lord Cockburn; to keep the subsidiary purpose of penal discipline—reformation—in due subordination to its primary and principal aim—deterrence? The burthen of the present cry for prison reform is that the existing system neglects the one and carries the other too far. To arrive at a just conclusion let us examine the processes in force, their sufficiency or otherwise to compass the desired end in their relative proportion.

Let us take the principal point first, that of deterrence. It has been urged of late that the punishment inflicted is excessive, unequal in its incidence, careless, neglectful; productive, indeed, of much human suffering; that withal there is no real deterrence, for crime flourishes, and the only tangible effect of imprisonment is the manufacture of habitual criminals. This last assertion may be flatly contradicted at once. It is altogether disproved by the facts. The Committee presided over by Mr. Herbert Gladstone in 1894 presented some remarkable figures on this point. They reported that, with certain reserves due to the difficulty of detecting all first offenders, seventy per cent. of those committed to prison for the first time never return again; forty-eight per cent. of the remainder are cured after a second imprisonment; or eighty-five per cent., in all, are deterred from crime after a first and second experience of gaol treatment. It is the small residue, no more than fifteen per cent., which constitute the class of recidivists, and among them, no doubt, reconvictions are terribly numerous. Of those three times convicted only thirty-six per cent. are cured, of those four times twenty-nine per cent., of those five times twenty-one per cent., and the descending scale of recovery shows how ingrained the habit of crime becomes with repetition. It is surely obvious that this irreconcilable residuum practically resists all treatment; their cases are chronic; radical cure is out of the question. We are thus brought logically to the conclusion

that where all medicines fail one course alone remains, that of indefinite detention. This is, in plain English, the "indeterminate sentence" already tried elsewhere, but which still finds little favor in this country. It is said that, even if the law permitted, judges would refuse to pass indeterminate sentences and the public would never tolerate them. Such arguments are unanswerable, excepting by actual experiment, and for that we are evidently unprepared. There are other than sentimental difficulties, no doubt; and chief among them would be that of deciding exactly when the habitual offender had worked out his redemption; to whom and how should he give reasonable assurance of his recovery from the bias to crime? This again could be settled only by practical test. But it is idle to discuss an idea that is resisted almost *ab initio* in spite of the many advantages claimed for it. The police, for instance, declare that if the obstinately determined habitual criminal, proved to be such, after, say, four or five convictions, were shut up *sine die*, there would be an end of serious crime. They say with reason that it is useless to catch criminals time after time, if they are to be let out to prey again upon the public after a more or less brief experience of penal restraint.

Another set of figures are at hand bearing upon this question of deterrence. The positive effect of prison treatment which may be fairly inferred from what has been said above, is corroborated by the steady diminution in the numbers who come under it. England alone among the nations can point to prisons half empty or recently closed. Some critics would discount this by contending that the marked decrease in the length of sentences has naturally resulted in a decrease of prison population. No one can deny this. But it does not explain how the daily average of convict inmates has fallen from 20,361 in 1876-7, to 14,966 in 1886-7, and to 13,987 in 1896-7, the last year for which we have figures. It must be borne in mind, moreover, that in the twenty years between 1876 and 1896 the general population has increased from twenty-four to thirty millions, which if crime had corresponded would have raised the total to 25,000. A still more marked diminution appears in the daily average of convicts in custody, which in 1896-7 was no more than 3,089, whereas in 1892-3 it was 3,832; and, tracing back these figures further, we see how extraordinarily great the decrease has been in modern times. In 1880 the daily average was as high as 10,299, and although the

tendency was steadily downward it was still 9,247 in 1885, 6,680 in 1888, and in 1890, 5,359. It would be wrong to credit this satisfactory result entirely to deterrence, for many other causes have acted appreciably in affecting crime in this country. Prevention is far better understood than in times past, and it works effectively in child rescue, and cutting off the stream at its source. These agencies, with the general movement towards the infliction of lighter sentences, have also greatly helped to empty prisons. But there has, nevertheless, been a remarkable decrease in crime.

With all due allowance for the contributory causes last mentioned, a large balance must remain in favor of the deterrent effect of prison treatment in reducing crime. This we should bear in mind when reviewing penal processes. An impression prevails in some quarters that they are too severe ; that they are not ineffective we have just seen. Surely this must be justified before milder methods are adopted with results that may be foreseen ? Wherein does our present system err ? The old idea of punishment was "hard fare, hard work, hard bed." Does it go beyond that ? If it amounts to that, is it too much ? Let us take each item in turn.

Our prison dietaries have been much criticised of late, much blamed, indeed. In English prisons the scale of food is proportioned to the length of sentences ; for short terms it is intentionally meagre, but there is a progressive increase the longer the individual depends on it. It is now urged that, while the fullest rations are not satisfying, the lowest are absolutely insufficient. Number One diet, as it is styled officially, means no more than bread, eight ounces, for breakfast and supper; for dinner a pint and a half of "stir-about," a porridge or pudding made of mixed oatmeal and Indian meal (maize) ; the drink, cold water. This is undoubtedly short commons, especially for men who work, and work the men must, or break the rules. To many it may appear starvation, and the Home Secretary, in deference to protests, has consented to consider the question of increase. It is defended, however, by those who devised it, and they were medical experts. They say it is sufficient, if only barely sufficient, to keep soul and body together for the few days it is imposed, seven days at the outside ; that it compares favorably with the diets allotted to able bodied paupers and casuals in workhouses, who are also required to work, at breaking stones. The last is not an argument, per-

haps ; for we cannot defend the starving of prisoners by saying that paupers are also starved. Undoubtedly men lose weight on it, on an average about two or three pounds ; but many come into prison bloated with drink, and their later lighter condition may be the healthier, while it is always within the powers of the prison doctor to issue extra food. As we pass on from Number One to Number Two, that given after the first week in the case of all terms up to a month, there is an improvement ; hot gruel for breakfast and supper, half a pint of thick, strong soup for dinner, thrice weekly, suet pudding half a pound, twice, with two banyan days of bread and potatoes. Between one month and four months prisoners begin on this Number Two, and after a month of it pass to Number Three, a fuller diet very much the same as Number Two, but in larger rations ; potatoes every day and three ounces of cooked beef (generally Australian or tinned) twice weekly. This Number Three is the first dietary for all sentenced to more than four months, with Number Four after the first month, a still more liberal allowance of the same constituents, and this lasts for the remainder of the term. At the risk of being tedious it may be added that the same scales, but in lesser quantities, are accorded to men without hard labor, women and lads under sixteen. Unconvicted persons and debtors, where neither support themselves, are placed on a dietary akin to Number Three, but with tea morning and evening ; and convicts who are never sentenced to less than three years come at once upon Number Four. When they are drafted to the public-works prisons, such as Dartmoor, Borstal and Portland, their rations are considerably increased. The penal servitude convicts receive in the week 168 ounces of bread ; the daily dinner consists of a pint of shin-of-beef soup and a pound of potatoes, or five ounces of cooked meat, or suet pudding, twelve ounces, and on Sunday salt pork and pease pudding. Cocoa and porridge replace gruel, while in the convict prisons, as in the local, medical officers are empowered to issue extra food to all who seem to need it.

Much exception has been taken to those dietaries of late, mainly on account of their alleged insufficiency. I have said that the very lowest is open to this charge, although not lower than that of other guests in public establishments which are the refuge of the unfortunate who have yet committed no breach of the law. The rest are defensible on the grounds that a spare dietary has

always been considered part and parcel of a penal system. Only in America, I think, under most of the State laws may prisoners eat *ad libitum*, but in continental Europe, where weights and scales are not always scrupulously used, there is an institution, the canteen, at which prisoners may purchase extra and perhaps more attractive food with a portion of their prison earnings. This is no doubt a safety valve, as well as a direct incentive to sustained industry. If the plan were adopted in England no one but the incurably idle need ever be hungry. This would also dispose of the objections raised against the hard and fast mechanical apportionment of rations, giving precisely the same quantities to one and all without considering that some constitutions require more food; that some are satisfied with less. Such differences, no doubt, exist and are met in part by the plenary powers of the medical officer, who can according to his judgment increase the allowance of all who seem to need it.

I cannot admit that there is any starvation in gaols. It would be readily apparent in low physique, in a hollow-eyed, generally enfeebled and emaciated aspect, and I can honestly affirm that I have found nothing of the kind among the thousands and thousands of prison inmates whom it has been my business to see year in and year out these last twenty odd years, excepting sometimes with the very "short timers." Prisoners improve owing to their detention; the bulk of them go out stronger, better, heavier than when they came in. This is the more pronounced the longer the sentences. Convicts in penal servitude, those especially who labor constantly in the open air, are robust, muscular and generally in first-rate condition.

It may, however, be conceded that there are points in which this prison dietary might be improved. It is, perhaps, too monotonous. Although the formula provides substitutes, they may not go far enough and, in the absence of the canteen system, the prisoner has no chance of remedying this defect for himself. Again, although as regards nutritive value the diet answers strict test, although it contains a sufficiency of the nitrogeaneous, health-sustaining elements, it may fall short in bulk, in filling, satisfying quantity and may leave a sense of emptiness after every meal. We have here no doubt an explanation of the complaint which has been heard that convicts have been hungry for ten and fifteen years. This is now being met by an increase in the daily

ration of bread. But no substantial fault can be found with the preparation of meals. The cooking is as a rule good, cleanly and careful, the articles of food are of sound, wholesome quality, the bread—a staple part of the rations—is of “whole meal,” the variety most popular with Sir Henry Thompson and other dietetic authorities, and the charges levelled against it, as producing chronic diarrhœa, are best met by the formal and explicit denial that there is any such complaint epidemic in prisons.

People must lie on their beds as they make them, and the prison plank-bed is a case in point. It is an element in the scheme of deterrence and has long been placed among the paraphernalia that exist to make the prison an unpleasant resting place. The deprivation of a mattress is only temporary, and there is a fair supply of other bedding. Whether it contributes much to the general result may be doubted, but before condemning it as a “harsh, cruel contrivance with no other object than to promote suffering,” it may be remembered that every British soldier sleeps on a plank bed every night he is on guard, and this with his clothes and accoutrements on and without blanket or rug.

The judicious employment of those whose labor is forfeited to the state has always been an intricate problem in prison administration. It bristles with difficulties not realized by the ordinary observer. But it is well known in the United States that private traders resent state competition with prison made goods, and thus greatly curtail prison industries. The same protests have much checked useful employments in English prisons, and had not the administration found an outlet in producing goods for other public departments prison labor would have been limited indeed. The manufacture of various articles, mail bags and so forth for the post office, of coal sacks, kit bags, and hammocks for the Royal Navy, blankets and bedding for the army, is now very generally adopted and with excellent results. This is a better outlet than such poor primitive work as oakum picking or the soulless, unproductive labor of “grinding air” with treadmill or crank. The first is only practiced *faute de mieux*; the latter is being gradually abolished. In no case now does the tread wheel accomplish nothing; it would probably be altogether abandoned but for the necessity of finding some other severe physical labor for the short-time prisoners. The penalty to labor, and labor hard, is a statutory obligation on almost all committed to

durance, and the prison authority must impose what work it can. Where the detention is long enough to allow of any trade instruction, prisoners are preferably employed in handicrafts, although no high standard of skill can well be gained within prison walls. The proper use of all tools needs a long apprenticeship at an age when fingers are supple and brains adaptive; yet the prison-taught shoemaker, tailor, smith, stone dresser or bricklayer often turns out respectable work, and where great numbers are congregated, prison labor has given substantial proof of its value. It has enriched the nation with many fine public works, dock yards, breakwaters, fortifications and acres of land redeemed from mere bog and sterile waste. Without laying undue stress upon this, the utilitarian view, practical people must concede some credit to a system which has achieved such notable results.

Having thus set forth the principal penal processes employed, let us consider next their effect upon those subjected to them. Many hard things have been said of the system in force. We have heard that all prisoners are ground down and constantly oppressed, bound by many vexatious rules that create prison offences and multiply harsh prison punishments; that no one raises a finger in their defence, that all classes of prison officials from the highest to the lowest are in league to impose a senseless and unnecessarily severe and ruthless discipline. It has been asserted that the inevitable consequence is a dumb despair that seldom finds voice, but which the earnest inquirer will see written in appalling characters upon the prison statistics in the plain evidence of broken health, a large mortality and innumerable mental failures. Can such things be? Is it the fact that human beings, albeit criminal offenders, are thus shamefully misused, that their daily treatment outrages common justice, that their constant surroundings tend to chronic disease, to insanity and death? The indictment is tremendously strong? What is the defence?

The well meaning champions of the distressed prisoner, pleading in a cause that does them infinite credit, may yet be accused of over-charging, over-coloring their case. The discipline that is enforced in English gaols and convict prisons is, and necessarily must be, strict, but it is not, I think, unduly harsh. With the stamp of people incarcerated, stringent rules are indispensable to preserve order. It is only thus that the few can control the many. Concession too often means weakness, or is so interpreted

by the many desperate characters who crowd a gaol. Nothing is more deeply imprinted in prison history than the need for a firm hand. When the reins are slackened, the team has invariably turned restive and the weakening of authority has ever been attended by far worse evils—aggravated, persistent insubordination, dangerous unrest, outbreaks, overt resistance—than any at which the tender-hearted now rebel. The argument gains in force where numbers are associated together with the increased strength that such numbers give, as in the convict “public works” prisons, Borstal, Dartmoor and Portland. Here a mass of criminality, made up largely of heinous and habitual offenders, are held seemingly by a thread; an armed warder to five and twenty or thirty convicts in the open, beyond bolts and bars, with weapons—tools, pick and shovel and crowbar—in their hands. The real force is impalpable, out of sight, but it is there; it is the unyielding demand for absolute submissiveness, for the surrender of independent volition, the subjection of many wills to one, with the watchful, lynx-eyed, unremitting supervision that secures these objects, backed up by the strong arm to enforce them. It is this discipline—discipline salutary and indispensable, as most officials think—that kindly folks condemn and would relax, having, as I believe, hardly appreciated the reasons for it. The only alternative to it would be to abolish the public works prisons and revert to separation and the solitary cell, which is still more repugnant to the prison reformer.

The discipline has been called “iron-bound” and inordinately severe, but this is surely an exaggeration. It is not borne out by the statistics of offences and punishments. According to the latest figures, 1896-7 (but year after year the totals scarcely vary), there were some 30,000 prison offences committed among a little over 200,000 persons. Of these 30,000, 1,000 were “violence” and assaults made on officers, nearly 9,000 were idleness, 19,000 were other breaches of regulation, such as thefts of food, persistent talking, quarreling, and so forth. There were only fifteen attempts at escape, five in convict and ten in local prisons. For these offences about 15,000 prisoners were punished; and it must be explained that the number of offences and persons punished can never agree, for one and the same individual will commit several offences, and similarly receive several kinds of punishment, for diet deprivations, losses of privilege and cells may be awarded

at one and the same time. The punishments again speak for themselves. The bulk are dietary, reduction in the amount or scale of food, the loss of privilege, of special work, of mattress, of marks earned toward remission of sentence. Corporal punishment was inflicted 131 times, 19 in convict prisons, 112 in local; and in the latter corporal punishment means more frequently the use of the school boy's "birch" than the "cat." Punishment cells were ordered 293 times, twice only in convict prisons, while handcuffs, not as a "punishment" but as a "restraint" to prevent self-inflicted injuries, were employed on 54 occasions. The sum total is scarcely horrifying with a daily average of 17,000 prison population furnished by the coming and going of 200,000 in the year.

Satisfactory facts and figures may also be adduced in regard to the health—bodily and mental both—during and after confinement. It might be supposed from the painful pictures drawn that sanitary conditions and precautions were utterly neglected in gaol. As to this, the best answer is the entire absence of zymotic disease in English prisons. There has not been a single case of enteric fever known for the last dozen years. Drainage and common necessities are seen to carefully, and if a certain rough and ready system exists in some respects which cannot be discussed, it is no worse than obtains in barracks and warships and wherever people are massed together. As to the care of the sick, prison hospitals keep pace with modern ideas; they defy criticism in respect to food, bedding, medicines and clinical treatment. Prison doctors are for the most part well chosen, capable medical men. Where local practitioners are employed, partly or temporarily, they are persons in good practice, much esteemed in the neighborhood. It must not be forgotten that while the really sick receive every attention, many sham invalids are always bidding for the ease and comparative comfort of the prison hospital, for lighter work and extra diet. No pains are spared to detect disease on admission or to ascertain the fitness of prisoners for labor. Errors in this respect are rare, while those who require medical treatment are never long overlooked. The readiness to admit to hospitals is shown by the number of cases treated during the year—6,548 in local, and 1,865 in convict prisons. The general healthiness of prisons may also be inferred from the low annual death-rate, which in local gaols was 7.4 per 1,000,

and in convict prisons 9.7. Except in a very small proportion, these deaths occurred so soon after admission that it is pretty certain the fatal disease originated before they entered prison. It has been advanced against all this that the death rate is kept down by the anticipatory release on medical grounds of all affected with incurable complaints. As a matter of fact, 74 persons were so released in 1896-7 from local prisons, but 44 were women advanced in pregnancy, and the proportion of the balance was no more than 2.2 per 1,000. In the convict prisons there were only 16 released, or 1.4 per 1,000.

By far the gravest charge remains, that of the alleged insanity produced by imprisonment. It has been strongly urged that more or less marked mental degeneracy is the inevitable sequel, particularly in long sentences, although the blame is cast widespread on all terms and all forms of penal treatment. Very elaborate figures have been prepared on this head by Dr. Smalley, H. M. Medical Inspector of Prisons, which, although of extreme importance, would take up too much space if inserted here. Briefly stated, there were, in 1896-7, 164 cases of insanity in local prisons, but of those 121 were insane on arrival. Of the remaining 43, 19 showed symptoms within the first month, and their insanity could scarcely be due to the gaol. The other 24 were made up of 13 who became insane after three months, six within six months, and five after six months, and although with them the gaol might have been the cause, there is no positive evidence to that effect. In the convict prisons the number removed to lunatic asylums was 15—9 males and 6 females. Three males were of doubtful mental condition when first received, another was almost an idiot who had long wandered as a tramp or from workhouse to workhouse, and who became rapidly imbecile; cerebral disease, probably of syphilitic origin, brought on insanity in another; while in the two others evil habits might with reason account for mental failure.

I quoted at the outset Lord Cockburn's dictum that reformation occupies really the second place in any good penal system. His argument is as forcible as ever; nevertheless, as a fact, the endeavor is constantly and earnestly made to improve the offender while expiating his offence, to lead him from evil to good, to persuade him that honesty is the best policy. It is attempted by religious and moral teaching, by technical instruction where it

is possible, by charitable assistance and a helping hand on discharge. Many estimable people hold that more might be done in the direction first named; that by "individualizing" prisoners, taking each case singly and working strenuously it might be possible to "get hold of a man" and convert him from the error of his ways. All honor must be paid to such theories, but in practice they necessarily fail, if for no other reason than that the period is generally too short during which these high influences can be brought to bear. The large proportion of commitments to English prisons is for the very briefest space of time. Seventy-five per cent. of the whole number of prisoners received during the year are for terms under fourteen days, and more than half of these are for less than seven days. Take off the days of reception and discharge, which under our English system do not count, and a maximum of three, four, or five days makes up the entire period spent in gaol by thousands. What can precept or ghostly counsel accomplish in that time? The same fatal obstacle interposes against "moralization by labor." It has been thought that if detention were more largely utilized in the teaching of trades and handicrafts, the ex-prisoner might be helped to earn an honest living for himself when at large. What amount of skill can be acquired in a week or a fortnight, nay, in six months, or even in a year? Is the taxpayer, who has already suffered from criminal depredations, to be further mulcted in the heavy charges for waste of materials and injury to tools entailed in the apprenticeship? Yet the effort is even now made to the utmost extent possible. All prisoners with long terms are employed in useful and remunerative labor, and many do gain a certain industrial knowledge. The scope is somewhat limited; prisoners may learn shoemaking, tailoring, the trade of the tinsmith, rough carpentering, to bind books, ply the needle, lay bricks; but few, if any, gain high proficiency, and such half skilled workmen in these days of keen competition do not easily find employment when free, while the trades unions look more and more askance at the state-bred artisan.

Such facts as these are discouraging and should warn the most sanguine against expecting too much from such processes. But it is right that the great work of reformation should still be attempted by all possible means. Good would probably follow some relaxation of discipline where terms are prolonged, in the

direction of relieving convict life of some of its darkest and grimmest features. It has been strongly urged of late that the gray, colorless monotony of existence year after year, always in durance, with freedom a long way off, perpetual toil, all in gruesome surroundings, tend to degradation and despair. Man is beyond question a highly adaptive creature. After a certain time he will grow accustomed to most things, even to the semi-monasticism of convict life, with all its self-effacement and irksome penalties. Yet, to let in a little brightness, to permit more frequent communication with friends by letter and visit, to raise the curtain that so hopelessly screens off the outer world, would react favorably upon the felon, humanizing him, softening him, helping him to change his nature instead of stiffening it into continued hostility to the law that has got him in its grip. The primary importance of deterrence has been fully set forth in these remarks, but the times are changing, and even prison administrators may also come to change their views. We may see great concessions made to all kinds of prisoners in the years to come. Provided the change is introduced gradually and cautiously, the experiment of enlarging privileges, of allowing lectures, newspapers, a few creature comforts—even tobacco—may yet be tried, and with results that may be beneficial.

ARTHUR GRIFFITHS.